

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

MDL No. 1570
ECF case

This document relates to:

THOMAS BURNETT, SR., *et al.*

Plaintiffs

- against -

AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*,
Defendants.

Civil Action No. 03 CV 9849
(RCC)

**AFFIRMATION OF ANDREA BIERSTEIN IN OPPOSITION TO MOTION TO DISMISS OF
SHAHIR BATTERJEE**

Andrea Bierstein, Esq., affirms as follows:

I am an attorney admitted to practice in New York and in this Court and am a member of the law firm Hanly Conroy Bierstein & Sheridan LLP, co-counsel for the *Burnett* plaintiffs. I submit this affirmation to transmit to the Court the following documents submitted in opposition to the motion to dismiss filed by defendant Shahir Batterjee:

1. Exhibit 1 is a Form 990 filed with the U.S. Internal Revenue Service by Benevolence International Foundation.
2. Exhibit 2 is articles of incorporation filed by Benevolence International Foundation with the Illinois Secretary of State. (It is my understanding that the handwritten notations are not part of the articles of incorporation and were added at some later date by a person or persons unknown.)
3. Exhibit 3 is a printout from the Florida Department of State reflecting a Florida registered office for Benevolence International Foundation.

4. Exhibit 4 consists of true and accurate copies of the motion papers submitted by the *Burnett* plaintiffs to the District Court in Washington, D.C. on March 24, 2003.

Affirmed in New York, New York on June 30, 2004



Andrea Bierstein